

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

MISSISSIPPI STATE CONFERENCE OF THE  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE; DR.  
ANDREA WESLEY; DR. JOSEPH WESLEY;  
ROBERT EVANS; GARY FREDERICKS; PAMELA  
HAMNER; BARBARA FINN; OTHO BARNES;  
SHIRLINDA ROBERTSON; SANDRA SMITH;  
DEBORAH HULITT; RODESTA TUMBLIN; DR.  
KIA JONES; MARCELEAN ARRINGTON;  
VICTORIA ROBERTSON,

*Plaintiffs,*

vs.

STATE BOARD OF ELECTION COMMISSIONERS;  
TATE REEVES, *in his official capacity as Governor of  
Mississippi*; LYNN FITCH, *in her official capacity as  
Attorney General of Mississippi*; MICHAEL WATSON,  
*in his official capacity as Secretary of State of  
Mississippi*,

*Defendants,*

AND

MISSISSIPPI REPUBLICAN EXECUTIVE  
COMMITTEE,

*Intervenor-Defendant.*

**CIVIL ACTION NO.  
3:22-cv-734-DPJ-HSO-LHS**

**DEFENDANTS' NOTICE OF SUBMISSION OF REMEDIAL REDISTRICTING PLAN**

Defendants respectfully submit a proposed alternative redistricting plan (the "Plan") pursuant to the Court's Order of April 15, 2025 [254]. Attached as Exhibit "A" are the minutes of the State Board of Election Commissioners adopting the Plan, which affects four (4) total districts: SD 1, 2, 11, and 19. Attached as Exhibit "B" are detailed images and accompanying data of the Plan. Attached as Exhibit "C" is Dr. John Alford's declaration regarding the electoral performance

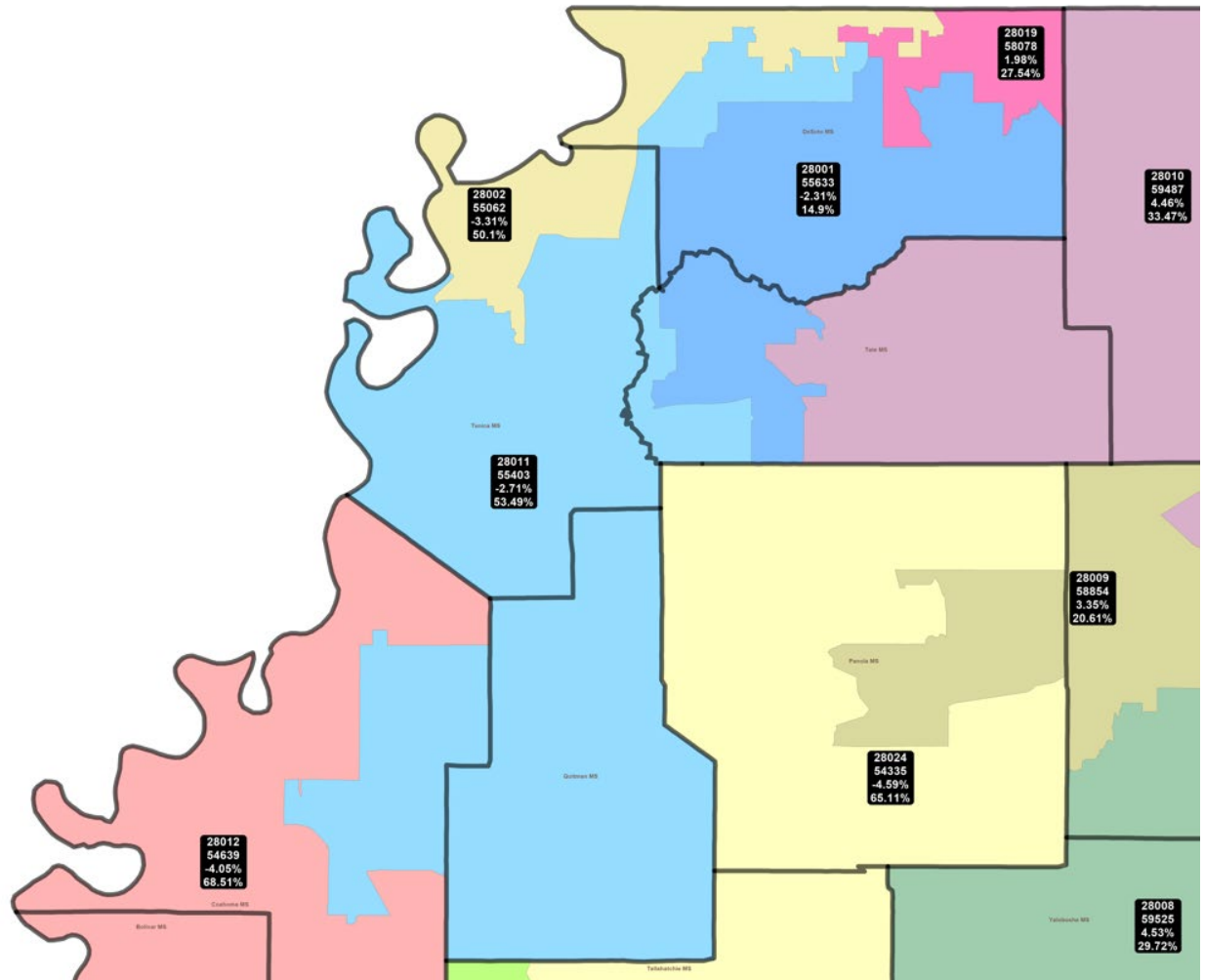
analysis of the Plan. For brevity and efficiency, Defendants incorporate the applicable legal analysis and argument set forth in its Response [249] as if stated herein. Defendants respectfully maintain and preserve all of their arguments in this case. Defendants submit the Plan because it is superior to any alternative proposed by Plaintiffs.

### **A. Background**

The Plan affects two majority-minority districts: SD 2 is the new majority-minority district with an any-part black voting age population (“APBVAP”) of 50.1%, while SD 11 is an existing majority-minority district with an APBVAP of 53.49%. Here are the relevant APBVAP numbers for the four affected districts in the Plan compared to the 2022 plan adopted by the Legislature for the area:

Senate District	2022 Senate Plan APBVAP	2025 SBEC Plan APBVAP
1	25.40%	14.90%
2	32.88%	50.10%
11	62.38%	53.49%
19	25.44%	27.54%

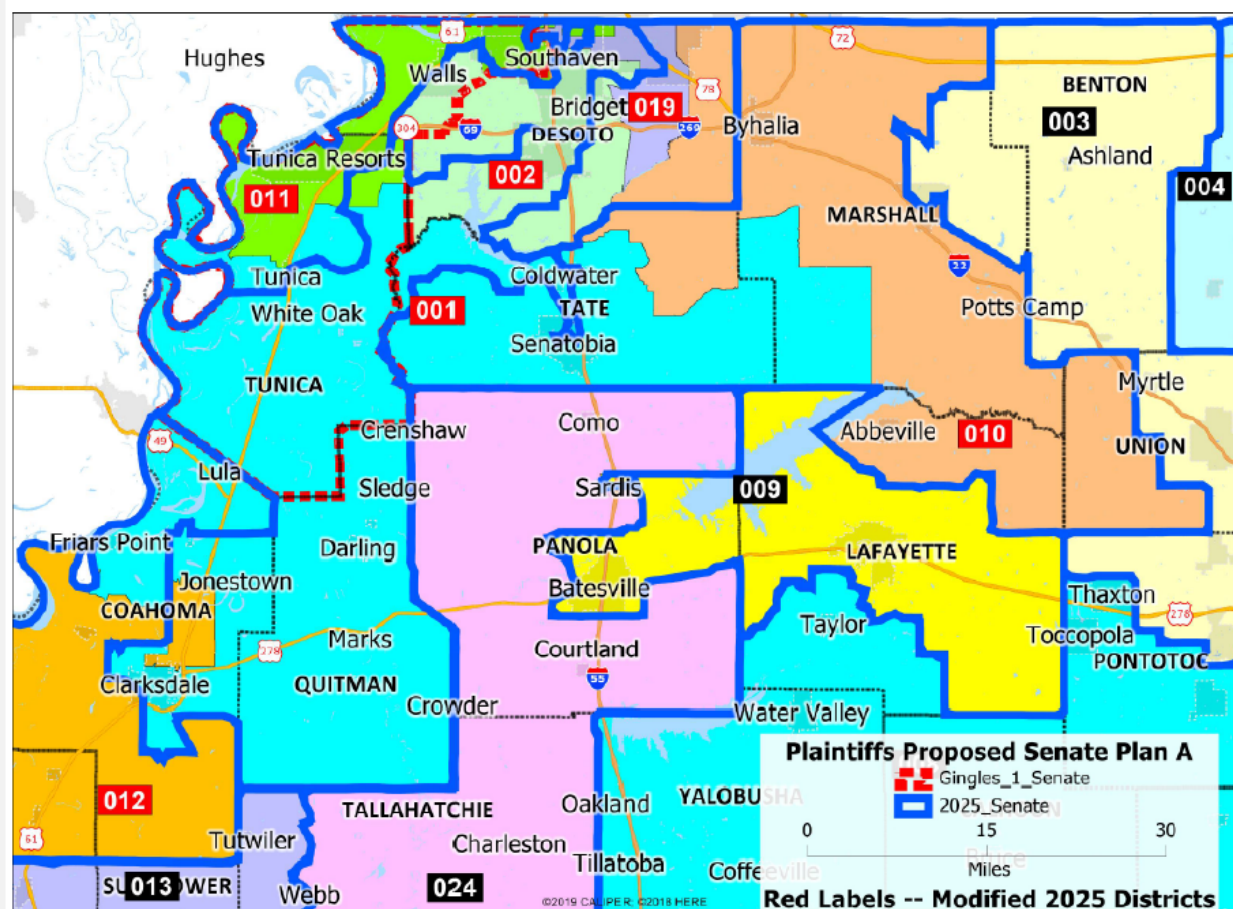
The Plan does not include any pairings as each affected incumbent continues to reside in his district. As shown in the chart above and in the below map, the Plan returns SD 1 back to a somewhat similar concept as originally drawn by the Legislature in 2022 (Hernando and Clarksdale returning to their respective districts), while SD 11 remains the existing majority-minority district but sheds some APBVAP to help form the newly created majority-minority district, SD 2:



Ex. B.

For comparison purposes, the Plan is much closer in the geography of the districts to Plaintiffs' Plan A rather than Plan B. SD 2 in the Plan is functionally SD 11 in the Plaintiffs' Plan A:<sup>1</sup>

<sup>1</sup> Plaintiffs' Plan B also contains the exact same draw for SD 11.



[243-9] at p.12. The Plan's SD 2 has an APBVAP of 50.1%, while Plaintiffs' Plan A has SD 11 at 50.15%. However, that is where the similarities end. Thus, the focus of this Court should almost entirely be on the Plan's SD 2 versus SD 11 in the Plaintiffs' Plan A.<sup>2</sup> The Plan includes a Republican, Senator Parker, in SD 2 and includes no pairings; the Plaintiffs' Plan A leaves SD 11 with no incumbent because it pairs two Republican senators in SD 19 (Blackwell and Parker). The Plan affects 4 districts; the Plaintiffs' Plan A affects 6. And, as shown in the performance analysis below, the Plan provides an *opportunity* for minority citizens in SD 2 to elect their candidate of choice, while the Plaintiffs' SD 11 in Plan A provides a *guarantee* for those same citizens.

<sup>2</sup> While SD 11 is the other affected majority-minority district in the Plan, it strongly performs for Democratic as shown in Dr. Alford's performance analysis.

## B. Performance

SD 2 and SD 11 strongly perform in providing minority citizens with the opportunity to elect their candidates of choice:

<b>SBEC Remedial Plan</b>	<b>Democratic</b>		<b>Senate</b>		<b>Senate</b>	
<b>Office</b>	<b>Candidate</b>		<b>District 2</b>		<b>District 11</b>	
	<b>Race</b>	<b>Year</b>	<b>Dem. %</b>	<b>Dem. Win</b>	<b>Dem. %</b>	<b>Dem. Win</b>
Governor	White	2019	51.1%	1	59.8%	1
Lt. Governor	White	2019	46.8%	0	54.0%	1
Attorney General	Black	2019	48.4%	0	55.9%	1
Treasurer	Black	2019	46.0%	0	53.4%	1
Agriculture	White	2019	47.0%	0	55.2%	1
Insurance Commissioner	Black	2019	46.3%	0	53.3%	1
Secretary of State	Black	2019	47.5%	0	55.5%	1
U.S. President	White	2020	54.8%	1	59.3%	1
U.S. Senate	Black	2020	59.1%	1	62.9%	1
Governor	White	2023	57.6%	1	64.1%	1
Lt. Governor	White	2023	54.0%	1	57.3%	1
Secretary of State	Black	2023	53.1%	1	56.2%	1
Attorney General	White	2023	52.9%	1	56.5%	1
Auditor	Black	2023	53.7%	1	56.5%	1
Treasurer	Black	2023	53.8%	1	58.8%	1
Agriculture	Black	2023	54.6%	1	59.7%	1
Insurance Commissioner	Black	2023	53.1%	1	57.3%	1
U.S. President	Black	2024	53.2%	1	55.8%	1
U.S. Senate	Black	2024	53.0%	1	54.5%	1
<b>Average</b>			<b>51.9%</b>		<b>57.2%</b>	
<b>Number of Democratic Wins</b>				<b>13</b>		<b>19</b>
<b>% of Democratic Wins</b>				<b>68%</b>		<b>100%</b>
<b>Black Dem. Candidate Average</b>			<b>51.8%</b>		<b>56.7%</b>	
<b>Black Dem. Candidate # of Wins</b>				<b>8</b>		<b>12</b>
<b>Black Dem. Candidate % of Wins</b>				<b>67%</b>		<b>100%</b>

Alford, p.3. SD 11 in the Plan has a Democratic performance metric of 57.2% and a 100% win rate across the 19 statewide and federal elections occurring within the district boundaries since

2019.<sup>3</sup> Likewise, SD 2 has a Democratic performance metric of 51.9% and a 68% win rate across the same set of elections—and winning every single election since 2020. If the four federal elections in 2020 and 2024 are excluded, SD 2 still has a 50.7% Democratic performance metric with a 60% win rate (9/15 elections). Finally, if only the bi-racial elections are considered, SD 2 has a 51.8% Democratic performance metric and a 67% win rate.

Plaintiffs will likely object to SD 2's performance metrics by noting that the district fails to perform in the 2019 statewide elections or, potentially, in their state elections pre-2019. But this is now the second map (including the Senate remedial map) submitted to the Court that shows a clear shift and trend toward Democratic voting behavior post-2019 in the DeSoto County area. In any event, the Plan shows strong performance numbers in every election from 2020 to now. Asking the Court to brush aside the elections since 2020 and favor older, stale elections would be further proof that the Plaintiffs want a guarantee that a black Democrat will be elected in the newly drawn majority-minority district. To that point, here are the percent-won metrics for the Plan's SD 2 and the Plaintiffs' Plan A's (and Plan B for that matter) SD 11:

<b>% of Contests Won by Democrat</b>				
<b>Elections</b>	<b>Candidates</b>	<b># of Elections</b>	<b>Ds' Plan SD 2</b>	<b>Ps' Plan A &amp; B SD 11</b>
2019, 2023	Bi-racial	9	56%	100%
2019, 2023	Bi-racial and White v. White	15	60%	100%
2019-2024	Bi-racial	12	67%	100%
2019-2024	Bi-racial and White v. White	19	68%	100%

Alford, p. 3; [252-1], pp. 18; 20.

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<sup>3</sup> As stated, SD 11 in the Plan was an existing majority-minority district with an APBVAP well above 60% in the 2022 legislative plan, so the high win percentage in the Plan is consistent with the historical performance in this district.

While Defendants continue to maintain the legality of the Legislature's remedial plans, this Court determined that the Legislature's plan for the DeSoto County area failed to provide opportunity under Section 2 of the Voting Rights Act. Defendants submit the Plan as an alternative to the Plaintiffs' plans, to better align the ultimate map with the law and with the State's interests than would be true under Plaintiffs' plans. The Plan provides an opportunity to minority citizens to elect the candidate of their choice in SD 2 and continues to provide that same opportunity for those citizens residing in SD 11. The Plan complies with Section 2 of the Voting Rights Act and is a better plan for the State of Mississippi than either of the Plaintiffs' plans.

This the 22nd day of April, 2025.

Respectfully submitted,

STATE BOARD OF ELECTION  
COMMISSIONERS; TATE REEVES, IN HIS  
OFFICIAL CAPACITY AS GOVERNOR OF  
MISSISSIPPI; LYNN FITCH, IN HER OFFICIAL  
CAPACITY AS ATTORNEY GENERAL OF  
MISSISSIPPI; MICHAEL WATSON, IN HIS  
OFFICIAL CAPACITY AS SECRETARY OF  
STATE, DEFENDANTS

By: /s/ Tommie S. Cardin  
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ONE OF THEIR COUNSEL

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**CERTIFICATE OF SERVICE**

I, Tommie S. Cardin, one of the attorneys for the Defendants, do hereby certify that I have this day filed the above and foregoing document with the Clerk of the Court using the ECF system which sent notification of such filing to all counsel of record.

This the 22nd day of April, 2025.

/s/ Tommie S. Cardin

Tommie S. Cardin